

Petition Number:

1212-VS-14

Date of Filing:

Application for VARIANCE OF DEVELOPMENT STANDARD
Westfield – Washington Township
Board of Zoning Appeals (BZA)

This application must be completed and filed with the Community Services Department of the Town of Westfield, Indiana in accordance with the meeting schedule.

1. Appellant's Name LEEANN CHAMBERS
Address 16909 JULIET RD
WESTFIELD, IN. 46074
Telephone Number 867-4282
E-Mail Address _____
2. Landowner's Name LEEANN CHAMBERS
Address 16909 JULIET RD
WESTFIELD, IN. 46074
Telephone Number 867-4282
3. *Representative ROBERT DALE / QUALITY BUILDERS LLC
*Address 3379 S. MAUDFERRY RD.
FRANKLIN IN 46131
*Telephone Number 317-736-4219
*Email Address fourdbuildings@yahoo.com

*If the applicant is not presenting a petition, please provide contact information for the party representing the applicant.

4. Common description of property (address, location, etc.)
16909 JULIET RD, SOUTH OF 32 1/4 OF ADRIE
ON EAST SIDE OF ROAD, 10 AC TRACT
5. Legal description of property (list below or attach)
ATTACH
6. Complete description of the nature of the development standard variance applied for:
BUILDING A BARN FOR FARM USE ON A SMALL
HORSE & GOAT FARM TO STORE HAY AND TRACTORS

7. **ALL SITE PLANS SHALL BE LEGIBLE AND DRAWN TO SCALE.** Site plans must accompany this application and must depict at a minimum:

- ✓ a. Lot(s) shape and dimensions;
- ✓ b. Location and dimensions of existing and proposed structures;
- c. Location and dimensions of existing and proposed points of ingress and egress; and
- ✓ d. All topographic and natural features and/or other unusual characteristics associated with the property.

8. The Applicant must address the following criteria and establish at the public hearing that each of the following is true in order to obtain a favorable determination from the BZA.

No variance of development standard shall be granted unless the BZA finds all of the following to be true:

- a. That the approval of such variance of development standard will not be injurious to the public health, safety, morals, and general welfare of the community:

TO BUILD A POLE BARN TO REPLACE OLD ONE
THAT HAS FALLEN IN. TO STORE FARM EQUIPMENT
IN SIDE AND DO THE SAME AS HAS DONE THE LAST
16 YEARS THERE. NOTHING WILL CHANGE, NOT
INCREASING ANIMALS

- b. That the use and value of the area adjacent to the property included in the variance of development standard will not be affected in a substantially adverse manner:

SHOULD HELP BY CLEAN UP FARM BY PUTTING
EVERY THING IN SIDE AND REMOVING BARN THAT
HAS FELL IN.

- c. That the strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property:

JUST WANTING TO DO SOMETHING THAT HAS
ALWAYS BEEN DONE THERE AND BEING ABLE TO
PUT HAY INSIDE

TOWN OF WESTFIELD, INDIANA

The Appellant hereby certifies that the information contained in and accompanying this application is true and correct.

John Chambers
Applicant

SUBSCRIBED AND SWORN TO ME THIS 13th DAY OF November, 2012.

Vicki Holcomb
Notary Public

My commission expires: 11/9/2016
Commission # 597490

PROCEDURAL STEPS

The following steps must be completed prior to any petition receiving a hearing before the Board of Zoning Appeals. It is the sole responsibility of the petitioner in satisfying the procedural process as set forth by the Board of Zoning Appeals. Failure to comply with these procedural steps will delay the hearing process.

Pre-filing Conference:

- Petitioner schedules a meeting with staff and designates a contact person. If plans are submitted, staff has 5 business days to review all plans and make recommendations.
- Petitioners will be provided copies of all relevant codes, TAC contact information, and filing fees and deadlines.

Filing:

- Filing deadlines have been established by the Westfield Town Council—all materials required for filing shall be submitted on the appropriate filing date.
- BZA docket number(s) shall be assigned and all filing fees must be paid at the time of filing.

Public Notice:

- All public hearings before the BZA require that public notice be provided 21 days prior to the BZA hearing.
- The applicant is responsible for mailing notice to adjacent property owners and posting the site 21 days prior to the BZA hearing.
- Department staff is responsible for submitting hearing notice to a general circulation newspaper 21 days prior to the BZA hearing.

Public Hearing:

- All proposals subject to BZA review must undergo a public hearing.

**Application for VARIANCE OF DEVELOPMENT STANDARD
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Instruction Sheet

1. A pre-filing conference is required for all Board of Zoning Appeals (BZA) petitions. An appointment must be made with a staff planner to discuss a petition prior to filing for a hearing before the Board of Zoning Appeals.
2. If the applicant is not the property owner, the applicant shall demonstrate consent of the property owner in order to file a petition. The applicant shall provide a signed and dated document outlining the property owner's permission in representing their interests at the time of filing any petition.
3. All responses provided on the application and other required materials shall be legible.
4. Staff will provide all information submitted with your case to the members of the BZA prior to the meeting date. Submittals must be in an 8.5" x 11" or 11" x 17" format in order to be reproduced for the BZA packets.
5. If the petitioner wishes to submit color diagrams or graphics, the petitioner shall provide 20 color copies 10 days prior to the hearing date.
6. Meetings are held on the third Monday of each month at 7:00 p.m. at the Westfield Town Hall, 130 Penn Street, Westfield Indiana 46074 unless otherwise noted.
7. Please print your name and address on the sign-in sheet provided at the podium in the front of the assembly hall prior to the beginning of the BZA meeting.
8. In no event shall petitioners contact or attempt to communicate with members of the BZA in regard to this variance application and/or hearing prior to the BZA meeting.
9. If you have any questions regarding this application procedure, please contact the Community Development Department at (317) 896-5577.

NOTICE REQUIREMENT

The appellant is responsible for giving appropriate notice of his/her variance request by: (1) mailing notice to neighboring landowners and (2) posting an informational sign on the property. Persons to be notified by mail include all fee simple owners of real property to a depth of two (2) ownerships bearing no direct or indirect interest in the petition or all properties within one-eighth of a mile (1/8), whichever is less.

1. Certified Mail:

- a. All interested parties must be served notice of your hearing request via certified mail.
- b. Return certified mail receipts shall be delivered to the Community Development Department of the Town of Westfield, Indiana no later than the Friday prior to the public hearing by 4:00 p.m. In the event the petitioner receives back any of the certified letters as undeliverable items, such unopened envelopes should be submitted to the Community Development Department in lieu of delivery receipts.
- c. A list of adjacent property owners may be obtained from the Hamilton County Auditor:

Office of Transfers and Mapping
33 North 9th Street
Noblesville, IN 46060
(317) 776-9624

2. Posting the Property:

- a. For all appeals which require public notice, the petitioner shall post at a minimum one sign on all street frontages. The Community Development Department will determine posting locations for signs.
- b. The Community Development Department will make signs available in the office of the Department.

3. Newspaper Publication

- a. Notice must be published twice in a daily newspaper of general circulation in Hamilton County, at least twenty-one (21) days prior to the BZA hearing.
- b. The Community Development Department will take care of this requirement.

SAMPLE LEGAL NOTICE

WESTFIELD-WASHINGTON TOWNSHIP BOARD OF ZONING APPEALS

The Board of Zoning Appeals will meet on the ____ day of ____ 200__, at 7:00 p.m. at Westfield Town Hall, 130 Penn Street, Westfield, Indiana 46074 for the purposes of holding public hearings and acting on the following case(s):

0001-SE-001 – Kid Care – 1111 Main Road. The appellant is requesting a special exception to legally establish a child day care facility at this location.

0001-SE-002 – Kid Care – 1111 Main Road. The appellant is requesting a special exception to legally establish a child day care facility at this location.

Case files are available for public review in the Community Development Department, Westfield Town Hall. Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place.

Westfield-Washington Township Board of Zoning Appeals

By: John Doe, Petitioner
Address
Phone Number

Established 1971

MILLER SURVEYING, INC.

LAND SURVEYING AND ENGINEERING

948 Conner Street • Noblesville, Indiana 46060

(317) 773-2644 • FAX (317) 773-2694 • 1-800-886-2644

JOB # B32431

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 18 NORTH, RANGE 3 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE MARKING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 18 NORTH, RANGE 3 EAST, SAID POINT BEING NORTH 00 DEGREES 06 MINUTES 45 SECONDS WEST (ASSUMED BEARING) 1322.95 FEET FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 18 NORTH, RANGE 3 EAST, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT #1 AS DESCRIBED IN INSTRUMENT #200200036373; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 330.00 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER TO A RAILROAD SPIKE AT THE NORTHWEST CORNER OF TRACT #2 AS DESCRIBED IN INSTRUMENT #200200036373; THENCE SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST 1327.41 FEET TO AN IRON PIPE ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT #2; THENCE SOUTH 00 DEGREES 00 MINUTES 37 SECONDS WEST 330.00 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER TO A STONE MARKING THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, SAID STONE BEING THE SOUTHEAST CORNER OF SAID TRACT #1; THENCE NORTH 89 DEGREES 21 MINUTES 05 SECONDS WEST 1327.35 FEET ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER TO THE PLACE OF BEGINNING. CONTAINING 10.06 ACRES, MORE OR LESS.



LeeAnn Chambers Property

16909 Joliet Road, Westfield, IN 46074

Printed: Nov 12, 2012



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Feet

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